

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARY LALIBERTE and MARIE MCKNIGHT, individually and as representatives of a class of similarly situated persons, on behalf of the QUANTA SERVICES, INC. 401(K) SAVINGS PLAN,

Plaintiffs,

V.

QUANTA SERVICES, INC.; THE BOARD OF TRUSTEES OF QUANTA SERVICES, INC.; THE QUANTA SERVICES, INC. 401(K) SAVINGS PLAN COMMITTEE; and DOES No. 1-20, Whose Names Are Currently Unknown,

Defendants.

Case No: 4:22-cv-03290

DECLARATION OF JEREMY P. BLUMENFELD IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS THE COMPLAINT AND
MEMORANDUM OF LAW IN SUPPORT

I, Jeremy P. Blumenfeld, declare as follows:

1. I am an attorney admitted to practice *pro hac vice* before this Court. I am an attorney of record for Defendants Quanta Services, Inc.; the Board of Trustees of Quanta Services, Inc.; and the Quanta Services, Inc. 401(k) Savings Plan Committee. I submit this declaration in support of Defendants' Motion to Dismiss the Complaint.

2. Attached as **Exhibit A** is a true and correct copy of this Court’s November 30, 2022 Order in the above-referenced action granting the parties’ Joint Motion for Extension of Time and For Extended Briefing. (Dkt. 27).

3. Attached as **Exhibit B** is a true and correct copy of a March 2021 report published by Morningstar titled “2021 Target-Date Strategy Landscape.”

3. Attached as **Exhibit C** is a true and correct copy of a May 19, 2019 report published by Morningstar titled “2019 Target-Date Fund Landscape.”

4. Attached as **Exhibit D** is a true and correct copy of the transcript from a joint hearing on defendants’ motions to dismiss held on December 1, 2022, in the matters of *Tullgren v. Booz Allen Hamilton Inc.*, Case No. 1:22-cv-00856, and *Hall v. Capital One Financial Corp.*, Case No. 1:22-cv-00857, both in the Eastern District of Virginia.

5. Attached as **Exhibit E** is a true and correct copy of the Summary Prospectus for the American Beacon Small Cap Value Fund, filed publicly with the Securities and Exchange Commission (SEC) on March 1, 2022 (as supplemented June 22, 2022 and August 18, 2022).

6. Attached as **Exhibit F** is a true and correct copy of the Summary Prospectus for the MFS New Discovery Value Fund, filed publicly with the SEC on June 28, 2022.

7. Attached as **Exhibit G** is a true and correct copy of the Summary Prospectus for the DFA International Small Cap Growth Fund, filed publicly with the SEC on February 28, 2022.

8. Attached as **Exhibit H** is a true and correct copy of the Summary Prospectus for the Yacktman Special Opportunities Fund, filed publicly with the SEC May 1, 2022.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of December 2022, in Philadelphia, PA.

/s/ Jeremy P. Blumenfeld
Jeremy P. Blumenfeld

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing document was served via the Court's ECF/CM e-filing system to all counsel of record who are deemed to have consented to electronic service on this 30th day of December 2022.

/s/ Jeremy P. Blumenfeld
Jeremy P. Blumenfeld